

MINTZ & OPPENHEIM LLP

260 MADISON AVENUE, 18<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10016

MARSHALL A. MINTZ  
LAURA A. OPPENHEIM

TEL (212) 447-1800  
FAX (212) 448-0066

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By CM/ECF

The Honorable Pamela K. Chen  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Edward Roberts, LLC v. Indiana Economic Development Corp.*,  
1:22-cv-00985-PKC-CLP

Judge Chen:

The parties have begun conducting depositions in this case and there are certain non-party witnesses whose in-person testimony at trial may not be able to be compelled due to the 100-mile limit in Fed. R. Civ. P. 45(c)(1)(A).

In order to allow us to make appropriate arrangements for the depositions of those witnesses, the parties jointly submit this letter to request guidance from the Court about whether, pursuant to Fed. R. Civ. P. 43(a), it would consider permitting the use of live testimony by video during any trial in this case.

I thank the Court in advance.

Respectfully,

  
Marshall A. Mintz

MAM/

cc: All counsel (by CM/ECF)